

RESOLUTION 14-103

A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF LANDS DEFINED IN ORDINANCE 14-04

WHEREAS, the City of Westfield (the “City”) desires to annex certain parcels as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) into the municipality; and,

WHEREAS, pursuant to Indiana Code § 36-7-4-3.1 a fiscal plan must be prepared and adopted by resolution prior to such annexation; and,

WHEREAS, the required fiscal plan, included as **Exhibit C** (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to the Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED that the Fiscal Plan attached hereto and made a part hereof is hereby approved and adopted by the Westfield City Council.

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ADOPTED AND PASSED THIS _____ DAY OF FEBRUARY, 2014, BY THE
WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that RESOLUTION 14-103 was delivered to the Mayor of Westfield
on the _____ day of February, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

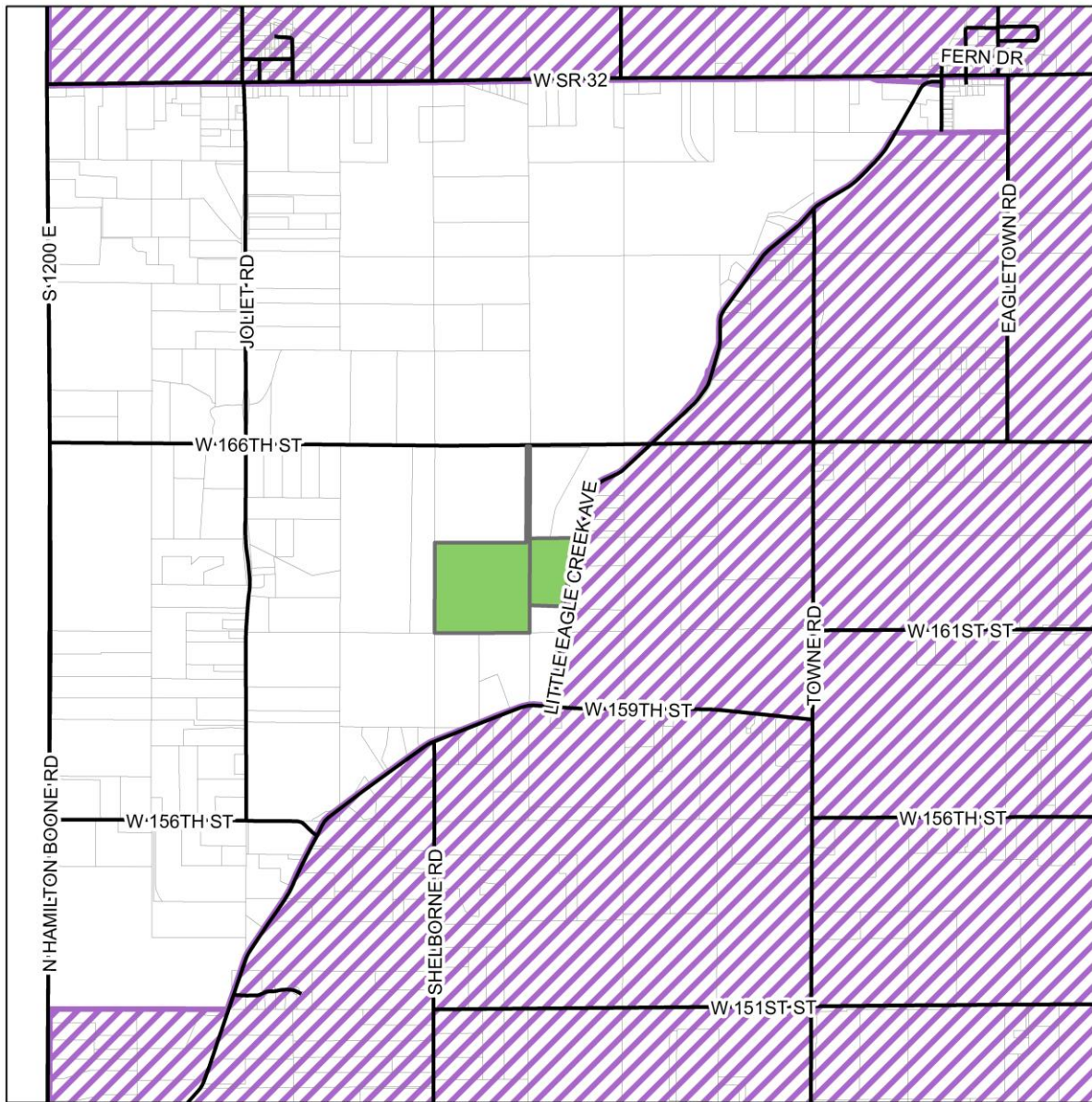
I hereby APPROVE Resolution 14-103
this _____ day of February, 2014.

J. Andrew Cook, Mayor




I hereby VETO Resolution 14-103
this _____ day of February, 2014.

J. Andrew Cook, Mayor

EXHIBIT A **ANNEXATION AREA**



Legend

- | | |
|---|---|
|  Parcels to be Annexed |  Parcels |
|  Existing City Limits |  Streets |

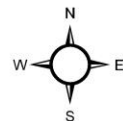


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTIONS

This description includes two (2) parcels of land:

Parcel No. 08-09-08-00-00-008.000

Parcel No. 08-09-08-00-00-001.000

Beginning at the NW1/4 of the NE1/4 of Section 7, Township 18N and Range 3E.

Direction: S 0-4-58 E	Distance: 35' to the point of beginning
Direction: S 0-22-1 W	Distance: 1349.037'
Direction: S 90-0-0 W	Distance: 1278.8'
Direction: S 0-8-12 W	Distance: 1266.614'
Direction: N 89-45-31 E	Distance: 619.746'
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Direction: S 89-24-21 W	Distance: 405.012'
Direction: S 89-24-27 W	Distance: 278.525'
Direction: N 0-5-50 E	Distance: 1268.642'
Direction: N 0-5-9 E	Distance: 20.13'
Direction: N 0-0-44 W	Distance: 34.999'
Direction: S 89-26-12 W	Distance: 48.696' back to the point of beginning containing 53.48 acres more or less.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of Little Eagle Creek Avenue and 166th Street.



Fiscal Plan for the Voluntary Annexation of Real Estate Contiguous to the City of Westfield, Indiana

**Generally described as the real estate located adjacent to the existing corporate limits,
north of 159th Street and west of Little Eagle Creek Avenue**

**This Fiscal Plan Supports
Ordinance 14-04**

**This Fiscal Plan is Exhibit C
of Resolution 14-103**

Introduction

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of Westfield, Hamilton County, Indiana (the “City”) and ability of the City to provide necessary municipal capital and non-capital services to an area proposed for annexation. The area proposed for annexation that is analyzed in this report is referred to as the “Annexation Area” and is generally located adjacent to the existing corporate limits, north of 159th Street and west of Little Eagle Creek Avenue. The annexation is 100% voluntary.

The Indiana Statute (I.C. § 36-4-3-13(d)) governing annexation activity by the City requires the preparation of a written fiscal plan and the establishment of an annexation policy, by resolution, as of the date of the annexation ordinance. The fiscal plan is required to present cost estimates and a plan for the extension of municipal services to the area proposed for annexation. Municipal services of a non-capital nature are required to be provided within one (1) year of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits. Municipal services of a capital improvement nature are required to be provided within three (3) years of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the City’s corporate limits.

This report contains an analysis of the revenues and expenditures that will result from the annexation of certain territory by the City. While the City is committed to providing the highest quality service to all areas of the community, the dollar figures presented here are only estimates and are subject to change. Variations may occur depending upon the rate and extent of future development, an increase or decrease in the cost of providing municipal services, or fluctuations in future property assessments.

<p style="text-align: center;">City of Westfield</p> <p style="text-align: center;">Annexation Philosophy and Plan</p>
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A. Fiscal Policy of the City

The annexation policies of the City are expected to correspond with the fiscal policies of the City. Therefore, it is the policy of the City that annexation(s) should only be undertaken under circumstances which are not adverse to the fiscal interests of the current residents and taxpayers of the City.

B. General Philosophy and Plan

The philosophy and plan of the City is to annex real estate into its corporate limits in accordance with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The adoption of an ordinance authorizing such annexation shall:

1. Provide the residents of the City with a broad, stable and growing economic tax base; and,
2. Provide a plan for the quality and quantity of urban development in a coordinated manner; and,
3. Provide for preservation and enhancement of the public's overall health, safety, and welfare, regarding all of the City's residents; and,
4. Allow for the provision of services to the annexed area in a cost effective manner that will not significantly impact existing residents.

C. Further the City Shall:

1. First seek the voluntary annexations of new developments contiguous to the current City boundaries. It is the preference of the City to implement annexation action under the most amenable conditions possible. Therefore, in cases where it is practical and possible to achieve consensus, the City prefers to proceed with annexation under the "voluntary" provisions of the statute (I.C. § 36-4-3-5);
2. Enhance the existing assessed valuation of the municipality through voluntary annexations;
3. Consider any requests for voluntary annexation from existing parcels; and
4. Consider any forced annexations that will positively impact the future economic development opportunity of the community.

Parcel Analysis

A. Description

The Annexation Area is generally described as the real estate located adjacent to the existing corporate limits, north of 159th Street and west of Little Eagle Creek Avenue (see attached **Exhibit 1**) and encompasses an area of approximately fifty-three (53) acres.

B. Contiguity

Property contiguous with the City's corporate limits may be annexed into the City's corporate limits (I.C. § 36-4-3-1.5). I.C. § 36-4-3-1.5 provides that property is considered "contiguous" if at least one-eighth (1/8) of the aggregate external boundaries of the property coincides with the boundaries of the City's corporate limits. In determining if property is contiguous, a strip of land less than one hundred fifty (150) feet wide which connects the City's corporate limits to the Annexation Area is not considered a part of the boundaries of either the City's corporate limits or the property to be annexed. The Annexation Area meets the contiguity requirements of I.C. § 36-4-3-1.5.

C. Population and Structures

The Annexation Area has approximately two (2) inhabitants. One parcel contains one (1) residential structure, one (1) detached garage, and seven (7) accessory buildings. The second parcel contains a wastewater treatment facility.

D. Zoning

The Annexation Area is currently located within the planning and zoning jurisdiction of the City through a joinder agreement with Washington Township served by the Westfield-Washington Township Advisory Plan Commission. If annexed, then the parcels will remain in the same planning jurisdiction. The zoning designation of the Annexation Area is the Agricultural / Single-Family (AG-SF1) District.

E. Property Tax Assessment

The 2012 pay 2013 total net assessed valuation of all real property and its improvements located within the Annexation Area is \$5,537,900.

F. Municipal Property Tax Rate

The existing 2012 pay 2013 property tax rate assessed to all real property and its improvements within the Annexation Area is \$2.60840 per \$100 of assessed valuation. This is the total Washington Township tax rate assessed to all real property and its improvements, subject to any property tax "cap" which may apply.

G. Council District

The Annexation Area will be incorporated into Council District 4.

Municipal Services

The City currently extends to its citizens a range of public services. These services are provided by different municipal departments. Each department has a unique function within the municipal service system of the City. These departments include: Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development.

Each of the municipal service sectors are analyzed in this section to determine the impact of annexation on their ability to provide both capital and non-capital services to the area proposed for annexation as required by Indiana law. The method used to determine the fiscal impact of annexation is known as "fiscal impact analysis".

Fiscal impact analysis is a method of evaluation that is used to measure and project the direct public costs and revenues associated with residential and non-residential growth within a municipality. It explores public (government) costs and revenues. It does not consider private costs of public actions. Therefore, special assessments on real property or the value of land dedications required of developers are considered private revenues. Individual services contracted for homeowners associations, neighborhoods, and similar groups are also considered private.

All municipal departments were analyzed to determine the extent of the effect of annexation. The Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development were identified as being affected by the annexation of new territory. The effect on most of these departments is determined to be minimal and is likely to create no demand for additional personnel and associated expenditures. It can therefore be assumed the Annexation Area will not affect the workload of these departments or cause the need for additional expenditures associated with the provision of services.

The existing levels and costs of service provisions for each department are outlined below:

A. Police Department

The forty (40) uniformed officers of the Police Department of the City provide the citizens of the City with public safety and emergency response service throughout the corporate limits of the City. The individual services include: neighborhood patrols for the prevention of crime; detection and apprehension of criminal offenders; resolution of domestic disputes; anti-crime and anti-drug public education; traffic control and accident reporting; and the creation and maintenance of a general feeling of safety and security throughout the community.

The services provided by the Police Department vary in their individual requirements for personnel and financial resources and are subject to annual review and approval by the City Council.

Annual operating costs associated with the addition of one (1) uniformed police officer(s) include salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead.

Capital one-time costs associated with the addition of one (1) uniformed police officer(s) include a patrol vehicle and related equipment. These costs have been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The Annexation Area includes approximately fifty-three (53) acres and an approximate population of two (2). The City will provide police service to the Annexation Area upon the effective date of annexation through the extension of an existing patrol area with existing personnel.

Provision of planned service of a non-capital nature within one year.

The services can be provided for the Annexation Area with existing personnel. Any additional cost for patrol coverage can be accommodated within the existing budget.

Provision of planned services of a capital improvement nature within three years.

Any additional capital requirements can be accommodated in future budgets through the annual budgeting process.

B. Fire Department

The seventy (70) Firefighters, EMS and Paramedics personnel employed by the Fire Department of the City respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies throughout the corporate limits of the City and throughout the remainder of Washington Township, Hamilton County (the "Township").

The personnel of the Fire Department are assigned to three (3) fire stations located on Dartown Road (headquarters), 151st Street, and Grassy Branch Road. Each station is the primary respondent to emergencies within its assigned geographical area. Secondary response is provided by personnel and equipment by volunteer and paid city and town fire departments in adjacent communities.

The existing Fire Department currently has the entire responsibility for services throughout the Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel.

Provision of planned service of a non-capital nature within one year.

The services can be provided for the Annexation Area with existing personnel because current services already serve the Township.

Provision of planned service of a capital nature within three years.

The capital services required for future growth in the fire services for the Township will be managed through the annual budgeting process.

C. Public Works Department

a. Street Division

The Street Division is part of the Public Works Department of the City and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the corporate limits of the City. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance and replacement, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and policing of rights-of-way to support safe travel.

Other responsibilities include resurfacing and reconstruction of all public roads with the exception of the roads falling under the jurisdiction of the Indiana Department of Transportation or the Hamilton County Highway Department. These operations are primarily funded from the Motor Vehicle Highway (“MVH”) fund, the Local Road and Street Fund (“LR&S”), and the Road and Street Improvement Fund. The budgeted expenditures for MVH and LR&S is approximately \$980,000 for 2014, which is approximately \$5,280 per road mile.

Provision of planned service of a non-capital nature within one year.

Street Division services can be provided for the Annexation Area with existing personnel. Based upon the new road miles (166th Street and Little Eagle Creek Avenue) of approximately 1,050 feet (0.20 miles) and the cost per road mile, the estimated additional cost for the Annexation Area is approximately \$1,050 which will be funded with additional funds from the State of Indiana and the current budget.

Provision of planned service of a capital nature within three years.

The intent of the City with respect to future road construction is to require future developers to improve, or contribute financially to the improvement of existing roadways in accordance with the impact of any proposed development on the traffic loads. Potential road improvements are evaluated each year and the Annexation Area will be part of that annual review process.

b. Water and Sewer Services

Citizens of Westfield Water, LLC (the “Utility”) operates the water and wastewater works within the City. Services for both water and sewer are provided within the corporate limits of the City and into portions of the Township. The Annexation Area is not currently served by the Utility’s water service. The Annexation Area is currently served by the Utility’s sewer service.

The Utility provides the service of pumping water from the water source, treating the water to some level, distributing the water into the system of water lines, storing the water for peak demand and fire protection purposes, and maintaining the system, in its entirety. The Utility meets the parameters of providing access to water utility service, to a property, when a water distribution line is within the distributive area of

a main trunk line or lateral line. When water lines are already developed with respect to a specific property, the water utility is made directly available to that property when a water line is located within three hundred (300) lineal feet of the nearest property line of the developed parcel.

Fire hydrants are generally supported by the user charge system of the Utility. The developer of any new development is generally responsible for installing the fire hydrants necessary to protect the proposed development from catastrophic fire, unless otherwise provided by the Utility or the Utility's policies.

The installation and extension of sewer service for any proposed development in the Annexation Area will be provided in accordance with the Utility's policies. The Utility provides access to wastewater collection, treatment and disposal service to all properties within the corporate limits of the City. The Utility meets the parameters of providing access to wastewater service when the parcel is within the drainage watershed of a major interceptor, trunk or lateral sewer which ultimately delivers wastewater to the wastewater treatment plant. In cases where sewer laterals are made available to developed parcels, the standard for service is met when the Utility's sewer is located within three hundred (300) lineal feet of the nearest property line of the parcel.

Property tax revenues are not a part of the Utility's budget. In addition to monthly service charges, the Utility has established a system of fees for other services such as various connection fees, and/or supplemental fees for special facilities installed to meet the needs and demands of various customers. The cost of extending water and wastewater lines within the Utility's service area is done in accordance with the Utility's policies. The Utility is also subject to regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

D. Parks and Recreation Department

Services by the Parks and Recreation Department of the City are funded out of the City's Parks and Recreation Department budget. The existing inventory of facilities include: Armstrong Park, Old Friends Cemetery Park, Osborne Park, Raymond Worth Park, Quaker Park, Simon Moon Park, Asa Bales Park, Liberty Park, Hadley Park and Freedom Trail Park. The existing inventory of trails include: Monon, Midland Trace, Natalie Wheeler, Anna Kendall, and Cool Creek. These parks and recreation operations are supported by the City's General Fund. The Annexation Area is not anticipated to have an appreciable effect on existing park facilities and no additional costs for this function are anticipated.

Provision of planned service of a non capital nature within one year

The services can be provided for the Annexation Area with the existing budget.

Provision of planned service of a capital nature within three years

The capital services required for future growth in parks will be accomplished through the annual budgeting process.

E. Clerk-Treasurer's Office

The Clerk-Treasurer of the City is responsible for the maintenance of all city records.

Provision of planned service of a non capital nature within one year.

The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years.

The capital services required for this department can be accomplished through the annual budgeting process.

F. Economic and Community Development Department

a. Planning and Zoning Services

The Economic and Community Development of the City is responsible for all of the planning and zoning support for the Westfield-Washington Township Advisory Plan Commission and the Westfield-Washington Township Board of Zoning Appeals. These responsibilities currently involve the entire Township; therefore, no service level increases are expected for this division with respect to the Annexation Area.

Provisioning of planned service of a non capital nature within one year.

The services can be provided for the Annexation Area with exiting personnel who already serve the entire Township.

Provision of planned service of a capital nature within three years.

The capital services required for this division can be accomplished through the annual budgeting process.

b. Economic Development Services

The Economic and Community Development of the City is responsible for all of the economic development functions within the corporate limits of the City. No service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non capital nature within one year.

The services can be provided for the Annexation Area with exiting personnel.

Provision of planned service of a capital nature within three years.

The capital services required for this division can be accomplished through the annual budgeting process.

c. Building and Construction Services

The Economic and Community Development of the City currently processes building permits throughout the entire Township. It conducts inspections on new buildings and unsafe structures. Since this service is already being provided throughout the entire Township, no service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non capital nature within one year.

The services can be provided for the Annexation Area with existing personnel, who already serve the entire Township.

Provision of planned service of a capital nature within three years.

The capital services required for this division can be accomplished through the annual budgeting process.

Financial Summary

The Annexation Area has been researched and analyzed in accordance with the terms of the Indiana Code, Title 36, Article 4, Chapter 3.

The primary source of revenue for the City is that which is received from property taxes and County Option Income Tax (COIT). The net assessed valuation of all real property and its improvements within the Annexation Area is \$5,537,900.

As a result of additional population and road miles, the City also receives revenue from other sources that include Alcohol Gallonage Taxes, Cigarette Tax, Vehicle Excise Tax, MVH road miles tax, and LR& S road mile tax.

Assuming the annexation is effective prior to March 1, 2015; the property within the Annexation Area will then be entered into public record and assessed for taxation as an incorporated area.

Revenue received by the City from property assessed on or before March 1, 2015, will not be realized until May and November of 2016. The delay in the collection of property taxes will cause the City to experience a cost of services from existing budgets due to the required provision of non-capital services in the first year following annexation. To the extent that real costs exceed revenue as a result of this annexation, the City is prepared to use funds from other budgeted line items in order to assure that services required by State Statute are provided to the Annexation Area. Apart from any costs associated with the Street Division, it is assumed that there will be no additional non-capital costs associated with this annexation.

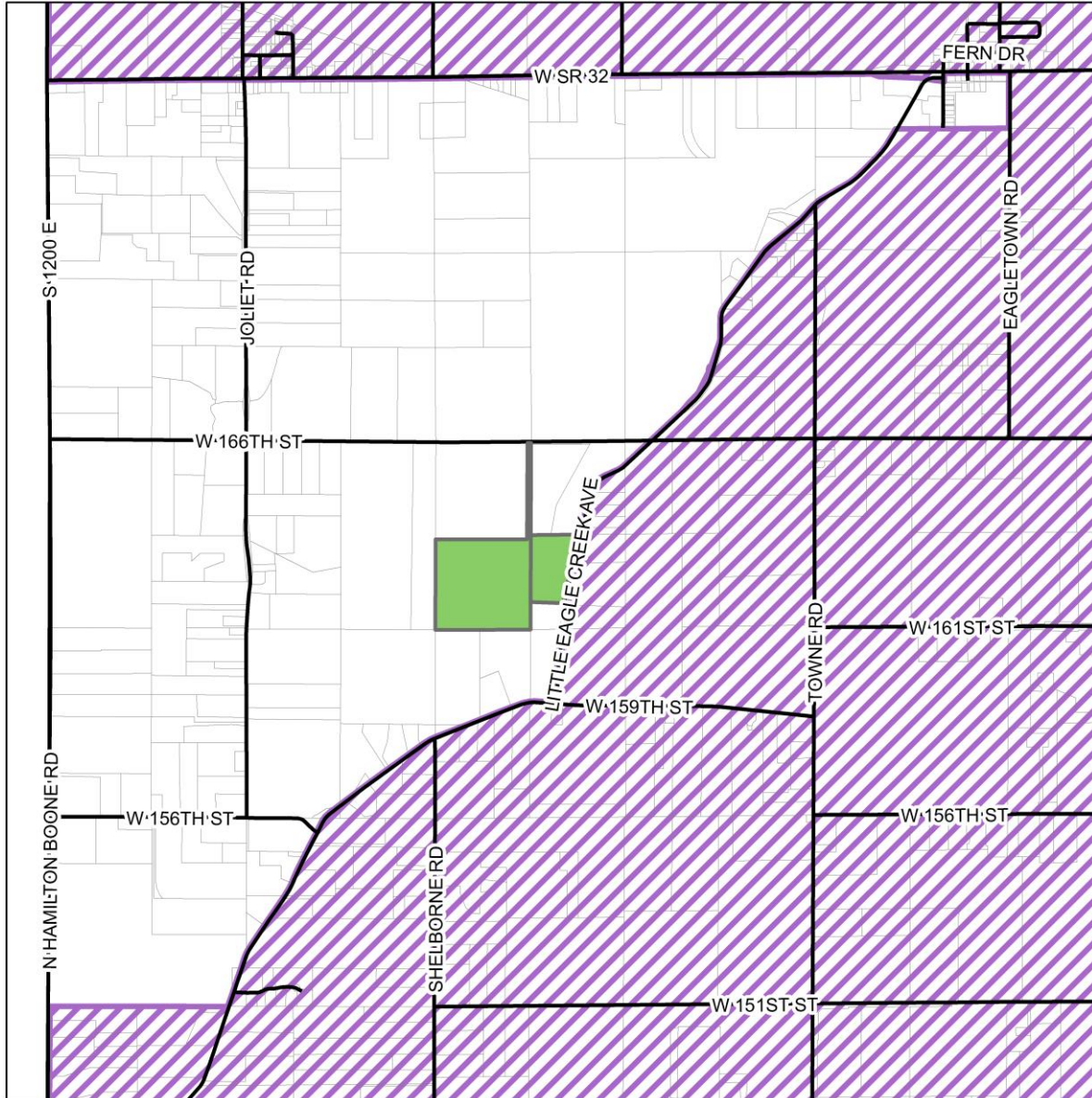
The City projects that the extension of all municipal services to the existing undeveloped land within the Annexation Area will be paid through existing revenue streams. Primarily, the City will receive nominal property taxes from the existing improvements within the Annexation Area. It should be understood, however, that the annexation of undeveloped land has a very minimal impact on municipal revenue streams and generally a minor impact on the provision of municipal services, if proper fiscal planning is performed.

When development occurs, the impact of that development on various revenue streams, as well as the impact of that development on the demand for municipal services, is to be examined by the City as a part of the development approval process. It is the City's stated goal that it seeks to establish fiscal policies which would result in no negative impact on property taxes for existing City residents as a result of growth. Therefore, the City will seek to assure that all proposed development offers a balance between the cost of services demanded and the revenues produced.



It is the intent of the City to pay for extension of all municipal services to the area from revenues generated as a result of the annexation, which will be derived from property taxes, along with other state distributions. The total property tax rate in Washington Township outside of the corporate limits for pay 2013 is \$2.60840. The tax rate for all taxpayers in the City/Washington Township, including all overlapping taxing units, is equal to \$3.09470, an increase of \$0.4863 or eighteen percent (18%).



Exhibit 1

Annexation Area: Graphic Depiction



Legend

-  Parcels to be Annexed
-  Existing City Limits

-  Parcels
-  Streets

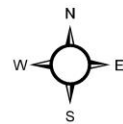


Exhibit 2

Annexation Area: Legal Description

This description includes two (2) parcels of land:

Parcel No. 08-09-08-00-00-008.000

Parcel No. 08-09-08-00-00-001.000

Beginning at the NW1/4 of the NE1/4 of Section 7, Township 18N and Range 3E.

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Direction: S 89-26-12 W	Distance: 48.696' back to the point of beginning containing 53.48 acres more or less.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of Little Eagle Creek Avenue and 166th Street.